

**MILBERG LLP**

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**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES, LLC,

Defendant.

District Court Case No. Civ. 08-10791

Adv. Pro. No. 08-01789 (BRL)

**VERIFIED STATEMENT OF UNOFFICIAL COMMITTEE OF CERTAIN CLAIM  
HOLDERS PURSUANT TO BANKRUPTCY RULE 2019(a)**

Jonathan M. Landers verifies as follows:

1. I am an attorney and a member of the law firm Milberg LLP (“Milberg”). I am admitted to practice before the courts of the State of New York, as well as, *inter alia*, the United States District Court for the Southern District of New York.

2. I am authorized to make and file this Verified Statement pursuant to Rule 2019(a) of the Federal Rules of Bankruptcy Procedure on behalf of the Unofficial Committee of Certain Claim Holders (the “Unofficial Claims Committee”), comprised of certain persons holding, owning, and/or beneficially holding or owning various claims against Bernard L. Madoff Investment Securities, LLC (“BMIS”).

3. The Unofficial Claims Committee was organized on or about February 10, 2009.

4. Attached as Exhibit A is a list of the members of the Unofficial Claims Committee and information regarding the amount of each member's claim. Unless specifically set forth in Exhibit A, no member of the Unofficial Claims Committee acquired any portion of his or her claim within one year of the date of the filing of this case, and no member acquired his or her claim after the filing of this case, or in contemplation of the filing of this case.

5. The Unofficial Claims Committee is preparing by-laws to govern its activities.

6. In addition to members of the Unofficial Claims Committee, Milberg represents a number of other clients with claims against BMIS, and the number of such clients is changing by the day. Milberg intends to file a statement pursuant to Rule 2019 reflecting such representations in the near future, as soon as such number has stabilized.

7. The undersigned verifies under penalty of perjury that this Verified Statement is true and correct to the best of his knowledge. The source of this knowledge includes communications with members of the Unofficial Claims Committee and the review of certain documents. The Unofficial Claims Committee reserves the right to update, revise, supplement, and amend this Verified Statement, and recognizes its obligations to do so under Bankruptcy Rule 2019.

Dated: February 18, 2009  
New York, New York

By: /s/ Jonathan M. Landers  
Jonathan M. Landers  
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Christopher A. Seeger  
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One William Street  
New York, New York  
(212) 584-0700

## **VERIFICATION**

Jonathan M. Landers hereby declares under penalty of perjury as follows:

1. I am a member of the law firm Milberg LLP, counsel to the Unofficial Committee of Certain Claim Holders in the above-captioned bankruptcy case.
2. I have read the foregoing VERIFIED STATEMENT OF UNOFFICIAL COMMITTEE OF CERTAIN CLAIM HOLDERS PURSUANT TO BANKRUPTCY RULE 2019(a) and know the contents thereof to be true to my own knowledge. The source of this knowledge includes communications with members of the Unofficial Committee of Certain Claim Holders and the review of certain documents.

Dated: February 18, 2009  
New York, New York

/s/ Jonathan M. Landers  
Jonathan M Landers

## EXHIBIT A

### Members of the Ad Hoc Committee of Certain Claim Holders

<b>Committee Member Name and Address</b>	<b>Amount of Claim</b>	<b>Total Investment Contributions Made Within One Year of Petition, Excluding Dividend/Interest Reinvestments</b>
The Blumenthal & Associates Florida General Partnership Gerald Blumenthal, Partner 3193 NW 61st Street Boca Raton, FL 33496	\$30,209,413.89	\$4,271,366.60
Gerald Blumenthal 3193 NW 61st Street Boca Raton, FL 33496	\$4,275,955.93	\$0
Marc Cherno 10 West 66th Street Apartment 32C New York, NY 10023	\$1,166,563.96	\$0
Judith Rock Goldman 110 Whispering Sands Drive Siesta Key, FL 34242	\$652,563.27 (based on two accounts)	\$0
Horowitz Family Trust Robert Horowitz, Trustee 1743 Westridge Road Los Angeles, CA 90049	\$8,758,039.10	\$0

## CERTIFICATE OF SERVICE

I, Jonathan M. Landers, hereby certify that on, February 18, 2009, the foregoing  
VERIFIED STATEMENT OF UNOFFICIAL COMMITTEE OF CERTAIN CLAIM  
HOLDERS PURSUANT TO BANKRUPTCY RULE 2019(a) was electronically filed, and  
served upon the following by First Class Mail:

Office of the United States Trustee  
33 Whitehall Street, Suite 2100  
New York, NY 10004

Securities Investor Protection Corporation  
805 15th Street, N.W. Suite 800  
Washington, D.C. 20005-2215

/s/ Jonathon M. Landers